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Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices

Report of the Secretary-General

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I. Introduction

1. In its resolution 48/75 L of 16 December 1993, the General Assembly recommended the negotiation in the most appropriate international forum of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, and called upon all States to demonstrate their commitment to the objectives of such a treaty.

2. In accordance with the resolution, the Conference on Disarmament initiated consultations among its members on what would be the most appropriate forum to negotiate such a treaty and what should be the mandate for negotiations. On 23 March 1995, the Conference endorsed the report of those consultations, calling for the establishment of an ad hoc committee in the Conference on Disarmament with the mandate to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In 1998, the committee met for negotiations for the three final weeks of the annual session of the Conference, but was not re-established the following year. Over the following 15 years, the Conference made several unsuccessful attempts to agree on and implement a substantive programme of work that would include negotiation of a fissile material cut-off treaty.

3. By paragraph 2 of resolution 67/53, the General Assembly requested the Secretary-General to seek the views of Member States on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, including aspects thereof, and to submit a report on the subject to it at its sixty-eighth session. The present report is submitted pursuant to that request.

4. On 31 January 2013, the Office for Disarmament Affairs sent a note verbale to all Member States seeking their views. As at the time of writing of the present report, 37 Member States and the European Union had submitted their views, executive summaries of which are reproduced in section II. The reply of the European Union is reproduced in section III, in accordance with the modalities set out in resolution 65/276. Additional submissions will be issued as an addendum to the present report. The full texts of national submissions are available from http://www.unog.ch/80256EE600585943/(httpPages)/B8A3B48A3FB7185EC1257B280045DBE3?OpenDocument.

II. Replies received from Governments

Algeria

[Original: French]
[15 May 2013]

The treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices should be based on the parameters defined in resolution 48/75 L and the elements identified in the Shannon report (CD/1299), namely, a non-discriminatory, multilateral and internationally and effectively verifiable treaty.

This instrument should ban the future production of fissile material for nuclear weapons or other nuclear explosive devices and serve as a framework to reduce and eliminate stockpiles of such material.

The treaty should not be interpreted as infringing the inalienable right of States parties to pursue research on and the production and peaceful use of nuclear energy without discrimination.

The treaty should ban the future production of fissile material used in the manufacture of nuclear weapons or other nuclear explosive devices (highly enriched uranium and plutonium); the diversion of fissile material to purposes that are prohibited or contrary to the treaty objectives; the reactivation of decommissioned, dismantled or converted nuclear facilities for activities banned by the treaty; and the transfer of fissile material for the manufacture of nuclear weapons to other States or entities. It should also require States parties to decommission, dismantle and convert facilities that produce fissile material covered by the treaty and to reduce and eliminate their stockpiles of fissile material for the manufacture of nuclear weapons before the treaty enters into force.

The definitions of nuclear material contained in article XX of the Statute of the International Atomic Energy Agency (IAEA) could provide the basis for the treaty, with adjustments to be made as necessary.

The treaty should be underpinned by a rigorous and effective verification regime able to provide the necessary assurances of compliance with its provisions. To that end, the scope of the verification regime should be broad enough to cover the entire nuclear fuel cycle. It could be based on the comprehensive IAEA safeguards (INFCIRC/153 (Corrected)) that apply to non-nuclear-weapon States, and all military and civil nuclear activities during processing, use and storage should be placed under this regime.

By virtue of its mandate and experience, IAEA would be the appropriate agency to verify compliance with the treaty.

An effective safeguards regime requires that a sufficient amount of information and detailed inventories on the production, volume of fissile material stock for civil and military purposes, and data on civil and military nuclear facilities be made available.

The treaty should include measures to be invoked in the event of violations that entail non-compliance with fundamental treaty obligations, and measures to correct those situations and to resolve disputes that may arise among States parties concerning the application or interpretation of its provisions.

The duration of the treaty should be indefinite and should not be subject to reservations. The Secretary-General of the United Nations should be the depositary of the treaty.

Australia

[Original: English]
[15 May 2013]

An effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices has the potential to deliver substantial benefits for the security of all States, furthering the twin goals of nuclear disarmament and nuclear non-proliferation.

Australia sees the Group of Governmental Experts established by General Assembly resolution 67/53 as a valuable opportunity. Technical work to develop practical elements for a treaty can be advanced without touching on broader political issues. This should be the case, for example, for many aspects of verification of a treaty.

Australia considers that the key undertaking of States parties to such a treaty should be not to produce fissile material for nuclear weapons or other nuclear explosive devices. Parties would also dismantle or convert to other uses facilities formerly used to produce fissile material for nuclear weapons. Australia would support the inclusion in the treaty of provisions on stocks of fissile material, whether produced for civil or military purposes. Such provisions should address the status of pre-existing stocks, as well as mechanisms under which States could choose to submit excess military stocks to irreversible peaceful use and verification commitments.

Fissile materials whose production would be controlled by the treaty should be those relevant to the manufacture of nuclear weapons or other nuclear explosive devices. A good basis for discussion of what constitutes such material is the definition of "direct-use materials" used by the International Atomic Energy Agency (IAEA).

Australia considers that cost-effective verification of the treaty could best be achieved by focusing on facilities for enrichment of uranium and for separation of plutonium, including those formerly used for nuclear weapons purposes, and on facilities processing or using fissile material subject to the treaty. We recognize nevertheless that it may also be necessary to gain assurance of compliance through declaration and inspection of some other nuclear material and activities. Verification against undeclared production of relevant fissile material would need to be an essential element of the treaty. Australia notes that most of the verification requirements of a treaty could already be met for many States parties by the application of comprehensive IAEA safeguards together with an additional protocol that meets the requirements of INFCIRC/540 (corrected).

Austria

[Original: English]
[14 May 2013]

Austria is in favour of the speedy conclusion of a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices to accelerate progress towards a nuclear-weapon-free world.

Brazil

[Original: English]
[22 May 2013]

A fissile material treaty should contribute effectively to the achievement of the goal of a world without nuclear weapons. Given the amount of highly enriched uranium and plutonium already accumulated by States possessing nuclear weapons, a treaty would bring added value to nuclear disarmament only if it contained specific commitments related to past production.

The treaty should address both future and past production. It is clear that future production of fissile material for nuclear weapons and other explosive devices should be prohibited outright. With regard to past production, it will be one of the tasks of the Group of Governmental Experts to explore possible options, including a phased process of destruction of all pre-existing weapons-grade fissile material.

In 2010, Brazil proposed to the Conference on Disarmament, in a conceptual working paper (CD/1888), a possible general structure for a treaty on fissile material for nuclear weapons or other nuclear explosive devices, comprising a framework or umbrella treaty and two protocols, with their respective verification mechanisms.

With comprehensive safeguards agreements, non-nuclear-weapon States already have in place commitments tantamount to such a treaty. The purpose of the agreements entered into by these States pursuant to article III of the Treaty on the Non-Proliferation of Nuclear Weapons is precisely to ensure that nuclear material will not be used for nuclear weapons or other nuclear explosive devices.

With regard to nuclear-weapon States, the treaty would have to provide for the application of IAEA safeguards in all facilities containing fissile material, with the exception of the material already present in weapons systems themselves.

Canada

[Original: English]
[15 May 2013]

Canada accords the utmost importance to beginning negotiations on a treaty banning the production of fissile material for use in nuclear weapons. Such a treaty is not an end unto itself but a concrete and practical step towards nuclear non-proliferation and disarmament.

Any definition of fissile material used in a future treaty must be broad enough to ensure that all fissile material relevant to nuclear weapons or other nuclear explosive devices, now or in the future, is captured. Wherever possible, Canada is in favour of using relevant IAEA terminology and definitions.

At a minimum, the scope of a future treaty should ban the production of fissile material for nuclear weapons and other nuclear explosive devices. Verification of additional fissile material, both civilian and military, should also be considered, given the risk of diversion to weapons use, including through the use of a mechanism similar to existing comprehensive safeguards agreements.

Existing stockpiles of fissile material remain a difficult and contentious issue which will likely only be resolved through direct negotiation. Canada remains committed to the Shannon mandate (CD/1299), and does not preclude additional measures to address existing stockpiles, in or alongside the framework of a treaty, such as increasing transparency; declaring excess fissile material and placing it under verification; and disposing of excess fissile material.

It is possible to develop technically, financially, legally and politically effective verification measures by using, extending or adapting elements of the IAEA comprehensive safeguards regime, including additional measures for existing stockpiles and declared excess fissile material. We envision a key role for IAEA, including as the potential verifying agency. This could be cost-effective, although potential broader implications for the Agency, including financial, would have to be carefully considered. Other measures in the treaty could include bilateral and multilateral verification measures, and national technical means.

Consideration could also be given to a mechanism by which to review compliance and treaty implementation, such as a review process; an IAEA secretariat; or a separate secretariat to address compliance and implementation.

China

[Original: Chinese, English]
[14 May 2013]

The Government of China is of the view that conclusion of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices through negotiation is an important issue in the international arms control process. The complete ban on the production of fissile material for nuclear weapons or other nuclear explosive devices through conclusion of the treaty, will be conducive to promoting nuclear disarmament and non-proliferation, and is an important step leading to the complete prohibition and thorough destruction of nuclear weapons.

China has always stood for concluding a non-discriminatory, multilateral and internationally effectively verifiable treaty as early as possible in the Conference on Disarmament on the basis of document CD/1299 and the mandate contained therein. As the sole multilateral disarmament negotiating forum, the Conference is the only appropriate venue for the negotiation of such a treaty. China supports the Conference towards agreement on a comprehensive and balanced programme of work so as to carry out substantive works, including negotiation of the treaty.

The Government of China believes that the Group of Governmental Experts on the treaty should include all States with the ability to produce fissile material for nuclear weapons or other nuclear explosive devices, and it should take full consideration of equitable geographical representation. The Group should operate within the mandate of General Assembly resolution 67/53. It should discuss relevant issues and make recommendations according to the principle of consensus. Should the Conference agree upon and implement a programme of work, the Group should conclude, and its work should be transmitted to the Conference.

The Government of China is of the view that the treaty should mainly contain such aspects as definitions, obligations, organization, verification and entry into

force. The treaty should cover only the future production of fissile material for nuclear weapons or other nuclear explosive devices.

The Government of China has been actively supporting the commencement of the negotiation of the treaty. China has joined the consensus or voted in favour of resolution 48/75 in 1993 and all General Assembly resolutions related to the treaty since then. China took part in the adoption of the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons by consensus and has been actively promoting the implementation of the action plan related to the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices proposed by the Final Document. China supports the decision of the Conference on the mandate, working mechanism and relevant issues of the treaty negotiation. It has played a serious part in all treaty-related activities within the framework of the Conference. China will continue its efforts to promote an early commencement of negotiation of the treaty in the Conference.

Congo

[Original: French]
[15 May 2013]

The concept of the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices is an opportunity to revitalize the Conference on Disarmament and to take a leap forward in the disarmament process.

Nevertheless, it is worth considering the view of the United States of America that, with respect to both the Treaty on the Non-Proliferation of Nuclear Weapons and this treaty, the deadlock is political in nature. Should the Member States reach a global consensus at the political level, a solution would be found to the other legal and technical issues.

A process should therefore be envisaged that will take into account the different positions of Member and non-Member States, nuclear-weapon and non-nuclear-weapon States, and the group of countries that includes India, Israel, Pakistan, Egypt, the Islamic Republic of Iran and the Democratic People's Republic of Korea on specific issues that are often the subject of misgivings, such as transparency on the quantity and quality of fissile material stocks, even for civil purposes, and the role IAEA should play in that regard.

Consequently, the Congo supports the proposal, put forward by Brazil, to establish a group of governmental experts in order to expedite the process on the basis of the views of Member States which would propose an agenda and recommendations to the Secretary-General.

With regard to the treaty, its scope should include not only a ban on the production of fissile material for military purposes, but also a limit on the levels of fissile material stocks for civil purposes. It should also cover production and enrichment technology as well as the relevant equipment and facilities.

Moreover, it is clear that components of "fissile material" and everything related to it must be defined. In addition, it would be impossible to draft a treaty

without determining its scope, the timetable for entry into force and verification mechanisms.

As with the Treaty on the Non-Proliferation of Nuclear Weapons, the scope of the treaty would be unlimited, since the goal is a world free of nuclear weapons. Production for military purposes must therefore be brought to a halt and new production and the development of production techniques must not be allowed. In that regard, IAEA and the Comprehensive Nuclear-Test-Ban Treaty Organization are tools that could make a useful contribution to the verification and monitoring mechanism. For this treaty to be effective its scope must be universal.

Cuba

[Original: Spanish]
[20 May 2013]

Cuba favours the commencement of multilateral negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty, which will ban the production of fissile material for nuclear weapons or other nuclear explosive devices and will also address the question of existing stocks. A fissile material treaty should not focus solely on non-proliferation, but should be an instrument for nuclear disarmament. That is why we believe that the treaty is a step towards the prime objective of nuclear disarmament. The so-called Shannon mandate is still fit for purpose and sufficiently broad in scope to cover the interests of all delegations. Once the relevant subsidiary body is established within the Conference on Disarmament to start negotiations, all Member States must be free to take up and address all issues they consider to be relevant to the future treaty.

The main purpose of the treaty must be a ban on the production of fissile material for nuclear weapons and it should also cover fissile material that existed before the treaty's entry into force.

The provisions of a future fissile material treaty must not interfere with the right to use such material for peaceful purposes. The future treaty must also promote international cooperation on the peaceful use of nuclear energy.

The IAEA criteria should be used to define the concept of fissile material. To ensure that the treaty will be an effective instrument, it should be governed by the fundamental principles of transparency, verification and irreversibility.

The future treaty must have an effective verification mechanism that will also ensure irreversibility. The IAEA safeguards system could be used as a tool for the implementation of the verification mechanism.

The future treaty should be negotiated within the Conference on Disarmament, the only multilateral forum for the negotiation of disarmament treaties. We therefore reiterate the need for the Conference on Disarmament to adopt as soon as possible a balanced and comprehensive programme of work that takes into account the real disarmament priorities.

For Cuba, nuclear disarmament is and must remain the highest priority in the field of disarmament and should be given the highest priority on the Conference's programme of work.

Finland

[Original: English]
[13 May 2013]

The amount of fissile material for weapons purposes in the world should be as small as possible, and the existing fissile material stockpiles should be subject to as strict control as practicable.

A treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices must not in any way form a barrier to peaceful uses of nuclear energy.

Finland supports the start of treaty negotiations as soon as possible. Finland is in favour of a multilateral, non-discriminatory and verifiable treaty. The treaty would be an important next step in the pursuit of disarmament and the goals of the Treaty on the Non-Proliferation of Nuclear Weapons.

The Group of Governmental Experts should discuss the most controversial issues. One of the Group's main tasks would be to consider the verification mechanism of such a treaty.

France

[Original: French, English]
[14 May 2013]

The launch of negotiations at the Conference on Disarmament on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices is a priority for France. It is the next logical step towards creating the conditions for a world free of nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons within the framework of a realistic approach based on gradual concrete gestures. France considers resolution 67/53 to be a useful contribution to discussions with a view to preparing the future negotiation of a legally binding international instrument.

The goal of the treaty is to quantitatively limit arsenals through the shutdown of production of fissile material for nuclear weapons. Like the Comprehensive Nuclear-Test-Ban Treaty, which it supplements, the fissile material treaty should be a universal treaty. As its aim is to contribute to nuclear disarmament, it appears essential that all countries which currently possess nuclear weapons should accede to it. Regarding non-nuclear-weapon States parties to the Non-Proliferation Treaty, and insofar as the fissile material treaty does not primarily aim to combat nuclear proliferation, it should involve no additional obligation for these countries. By the time it enters into force, all States concerned should declare, as France has already done, a moratorium on the production of fissile material for nuclear weapons.

The scope of the fissile material treaty is determined by the goal which is sought. It should cover only material and facilities which could truly allow circumvention of the treaty. As the treaty covers the shutdown of the production of fissile material for nuclear weapons, the corresponding preconstituted stocks are by definition excluded from its scope. Moreover the treaty should not ban the production of fissile material for civilian uses or for non-explosive military purposes.

The implementation of the treaty cannot be dissociated from the establishment of a credible verification regime. Verification must be carried out in compliance with two fundamental principles: preserving national security interests, and preventing the transfer of confidential information on nuclear weapons, in accordance with article I of the Non-Proliferation Treaty. Verification has three chief goals:

- Certifying the shutdown of dedicated means of production until dismantled or converted for civilian purposes
- Preventing, through the controls of IAEA in the relevant civilian facilities with regard to the goal of the treaty, the diversion of fissile material from civilian activities
- Handling suspected prohibited activities.

Regarding diplomatic provisions, France states its preference for the conclusion of a treaty of unlimited duration. It should also provide for a system allowing effective sanctioning of violations, and a withdrawal clause whose conditions must be regulated to avoid any abusive exercise of that right.

Germany

[Original: English]
[9 May 2013]

Germany attaches fundamental importance to the early commencement of negotiations on a treaty banning the production of fissile material, without prejudice to its actual scope, as the next logical and sensible step towards nuclear disarmament. Germany also considers such a treaty an important non-proliferation instrument. The treaty would offer a unique opportunity to establish a non-discriminatory treaty regime by creating essentially equal obligations for nuclear-weapon possessor States and non-nuclear-weapon States alike; cap the quantitative nuclear arms race and thereby instil new momentum into the process of nuclear disarmament, thus helping to maintain the integrity of the Treaty on the Non-Proliferation of Nuclear Weapons. Therefore, Germany believes that blocking the commencement of negotiations on the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, which condemns the world's sole multilateral disarmament negotiating forum, the Conference on Disarmament, to further stalemate, is not in the well-understood long-term interest of any State.

Hungary

[Original: English]
[9 May 2013]

In the view of Hungary, the elimination of nuclear weapons is not a single act, but rather a step-by-step process, in which the banning of the production of fissionable materials for weapons purposes is the long overdue "next logical step". The early commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices is an internationally recognized priority, which has been reaffirmed by important decisions and documents of different multilateral forums.

The Hungarian proposal includes suggestions for the following:

- A definition of fissile material
- A definition of what the production of fissile material entails
- A verification system entrusted to IAEA
- The inclusion of existing stockpiles in the scope of a fissile material treaty.

Definition. Hungary suggests that the definition of "fissile material" should contain neptunium-237, plutonium-239, plutonium mixtures, uranium-233, uranium enriched in the isotope 235, with the exception of plutonium mixtures with plutonium-238 concentrations equal to or more than 80 per cent; uranium enriched in the isotope 235 with concentrations less than 20 per cent; and fissile materials mixed with fission products (irradiated).

Production. Hungary suggests that "production" includes the following: (a) enrichment of uranium in uranium-235; (b) separation of plutonium and/or neptunium-237 from irradiated uranium; (c) separation of uranium-233 from irradiated thorium; and (d) conversion of fissile material into weapon-usable form.

Verification. Hungary is in favour of a mandate for the treaty verification being given to IAEA.

Scope/stockpiles. The elimination of existing stockpiles is envisaged to be part of the treaty on a phase-out basis. The issue of stockpiles should not hamper the verification of a fissile material cut-off right after the treaty's entry into force. Establishment of an accountancy and verification system of fissile material stockpiles may be subject to an additional protocol to the treaty at a later stage.

India

[Original: English]
[14 May 2013]

Without prejudice to the priority attached to nuclear disarmament, India supports international efforts aimed at early commencement of negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in the Conference on Disarmament, in accordance with the mandate explicitly reflected in resolution 48/75 L, and later reconfirmed in the Shannon report (CD/1299), to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. The agreed mandate set out in CD/1299 continues to be valid and relevant and should remain unchanged.

The Conference as the world's single multilateral disarmament negotiating body is the appropriate forum for negotiating such a treaty. The Conference as the agreed forum for treaty negotiations was one of the key elements of the consensus contained in CD/1299. The work on the treaty in the Conference and its subsidiary body should be conducted in accordance with the rules of procedure of the Conference and on the basis of strict adherence to the rule of consensus.

A fissile material treaty must be a treaty for banning the future production of fissile material for nuclear weapons or other nuclear explosive devices. If

implemented in good faith through universal participation and adherence, it will make a significant contribution to nuclear non-proliferation in all its aspects. It would be a step towards nuclear disarmament but would not in itself be a disarmament measure.

The obligations and responsibilities arising from the treaty must apply in a non-discriminatory manner in particular, to all States parties directly affected by the treaty's obligations and responsibilities. The treaty would be global in character, thus excluding any regional specificity. It should include all States which are essential stakeholders for the treaty and thus critical for its universal adherence. The dynamic correlation between scope, definitions and verification will be an important factor in the treaty, also taking into account the costs of implementing the treaty. The mechanism for verifying the obligations enshrined in the treaty will be decided in the treaty negotiations and cannot be prejudged or agreed in advance. The treaty should not place an undue burden on military non-proscribed activities.

India would be willing to join only a non-discriminatory, multilaterally negotiated and internationally verifiable treaty, as and when it is concluded in the Conference, provided its national security interests are fully addressed. India is a nuclear-weapon State and a responsible member of the international community and will approach treaty negotiations as such. The establishment of the Group of Governmental Experts under General Assembly resolution 67/53 cannot and does not replace the Conference as the forum for the negotiation of the treaty. The work of the proposed Group amounts to neither prenegotiations nor negotiations on a treaty, which should take place in the Conference.

Indonesia

[Original: English]
[16 May 2013]

Global nuclear disarmament is the highest priority, and any substantive advancement on a fissile material treaty should be in keeping with the objective of achieving the complete elimination of all nuclear weapons.

While we agree that there should be negotiations for the treaty, we remain of the view that there should also be negotiations for a nuclear weapons convention, negative security assurances and the prevention of an arms race in outer space.

The fissile material treaty must ban existing stocks as well as future production of fissile materials for nuclear weapons or other nuclear explosive devices. Additionally, the scope of the treaty should extend to an effective and transparent international verification mechanism.

The treaty should be negotiated in the Conference on Disarmament, the sole multilateral negotiating forum for disarmament. Furthermore, it should be multilateral, non-discriminatory and verifiable.

International verification of such a treaty will make a vital contribution to global nuclear disarmament, and create confidence and trust for its possible universality. Many non-nuclear-weapon States have accepted the IAEA comprehensive safeguards on all of their nuclear programmes in order to verify their commitment to not divert nuclear materials for weapons. However, nuclear-weapon

States are not required to have similar safeguards on their nuclear facilities. A verified fissile material treaty will help to redress the imbalance between the rights and obligations of nuclear-weapon States and non-nuclear-weapon States. The International Atomic Energy Agency can be given the task of conducting the verification mechanism for the treaty.

The treaty must clearly state that the States parties, in addition to eliminating their existing stocks, shall not produce, acquire from any source or transfer to any recipient or use fissile materials for nuclear weapons or other nuclear explosive devices.

The object and purpose of a fissile material treaty must reflect the treaty as a concrete tool in achieving the goal of a world without nuclear weapons.

Islamic Republic of Iran

[Original: English]
[30 May 2013]

In the view of the Islamic Republic of Iran, the existence of nuclear weapons and their vertical and horizontal proliferation is the most serious threat to international peace and security. Therefore, the total elimination of nuclear weapons is the only absolute guarantee against their threat and use, and a prerequisite for the establishment of a nuclear-weapon-free world. The first and best practical measure to achieve this noble goal is the early conclusion of a nuclear weapons convention to prohibit the production, development, possession, stockpiling, use or threat of use of nuclear weapons under any circumstances, and provide for their total elimination at the earliest date, in an irreversible and transparent manner and under strict international verification.

The Islamic Republic of Iran strongly believes that any instrument which is to ban the production, and provide for the total elimination, of fissile material for nuclear weapons or other nuclear explosive devices, should be comprehensive, non-discriminatory and under strict international verification. Accordingly, its scope must cover the past, present and future production of fissile material and provide for the declaration and total elimination of all stocks of such material at a fixed date, in an irreversible and transparent manner and under strict international verification. It also should not provide, in any way whatsoever, the grounds for the recognition of any new status for nuclear-weapon possessors. It should oblige all nuclear-weapon possessors and all nuclear-weapon States, without exception, to completely end the production of fissile material and to declare and destroy all their stockpiles of such material within a specified framework of time, in an irreversible, transparent and internationally verifiable manner. Additionally, such an instrument must be of a nuclear disarmament nature and not another non-proliferation instrument, and should not add to the burden of the non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Ireland

[Original: English]
[17 May 2013]

To constitute an effective measure relating to nuclear disarmament, within the terms of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, Ireland suggests that the objectives of the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices should be to prohibit any future production of fissile material for nuclear weapons or other nuclear explosive devices; to require the placement of all civil stocks of fissile material under verification safeguards, such that the material cannot be diverted to uses in nuclear weapons or other nuclear explosive devices; to require the placement of all non-civil stocks declared as excess under verification safeguards, such that the material cannot be diverted to uses in nuclear weapons or other nuclear explosive devices; and to require the destruction or conversion to exclusively peaceful uses of any facilities previously used for the production of fissile material for nuclear weapons or other nuclear explosive devices. These core objectives should form the basis of the treaty's general obligations.

In terms of defining the term "fissile material", the starting point should be the definition contained in article XX of the Statute of IAEA. The Agency should be given the task of advising the Group of Governmental Experts on related issues.

The Agency should also be invited to advise the Group on the feasibility of using existing safeguards structures and arrangements as a means to aid the implementation of the treaty, and to offer views as to whether and to what extent new structures or arrangements might require to be devised, having regard to the particular objectives of the treaty. To that end, useful guidance might also be sought from other treaty regimes, such as, for example, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty.

Italy

[Original: English]
[13 May 2013]

A substantive discussion on the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices should address five issues, which are set out below.

Definitions. Two key principles should apply: feasibility and credibility. The definition of fissile materials should include those materials that with current or near-term predictable technology and equipment have a reasonable probability of being used in the manufacture of nuclear explosive devices, principally the relevant isotopes of uranium and plutonium. Furthermore, the definition of fissile materials should be such that it allows verification without undue technical complications or excessive expenditure. Any definition should be broad enough to make the treaty credible and effective, but not so extensive as to imply unacceptably complex and expensive verification procedures or unnecessary limits to the peaceful uses of nuclear energy.

Verification. Provisions on verification are essential to any disarmament and non-proliferation treaty. A treaty verification system should aim at both fissile materials and production facilities. As for fissile materials, the purpose should be to verify any discrepancy between actual production and the declared one and the non-diversion of existing fissile material, including that in civil use. With regard to production facilities, it should be to ascertain the absence of undeclared production and the irreversible conversion or dismantlement of production facilities formerly used for nuclear weapons purposes. The agency given the task of verification should be IAEA.

Nuclear fuel. Highly enriched fissile material is also used as fuel for naval vessels. Negotiation on a treaty will have to decide whether this fissile material should be covered by the provisions of the treaty, and, if so, how.

Production plants. The problem of production facilities of weapons-grade fissile material is to be addressed.

Stockpiles. Stockpiles are the real stumbling block. The views expressed so far in the Conference on Disarmament, unsurprisingly, have been radically different, but in this line of work nothing is ever black or white. Thinking it through should lead to possible compromise solutions.

Japan

[Original: English]
[13 May 2013]

Japan is of the view that a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices:

(a) Should be negotiated in accordance with the mandate contained in the Shannon report (CD/1299). In view of the sustained consensual support for the mandate, its reopening would be counterproductive. Moreover, it provides a flexible basis for dealing with existing stocks in the course of negotiations (see paragraph 9 of the full report of Japan's views, available from http://www.unog.ch/80256EDD006B8954/(httpAssets)/778B94BEAE525FAFC1257B7C0041839D/$file/JAPAN.pdf);

(b) Should encompass various activities as core obligations rather than focus merely on a commitment not to undertake production of fissile material for nuclear weapons. The core obligations may include closing down/decommissioning former production facilities and refraining from reversion/diversion of fissile material from civil to military purposes (paragraphs 11-12);

(c) Should feature a broad general-purpose criterion to define prohibited materials and production activities ("definitions"), to the extent that this does not adversely impact peaceful uses of nuclear energy (paragraphs 14-15);

(d) Should provide for verification, not of only non-production of fissile material but of other obligations as well ("verification") (paragraphs 16-17);

(e) Can treat "definitions" and "verification" flexibly and separately. Technological limitations and considerations of cost-effectiveness should not restrict the scope of materials and activities subject to verification (paragraphs 18-19);

(f) Can address various aspects pertaining to existing stocks of fissile material. Regarding the matter of whether to include existing stocks within the scope of the treaty, it would be best to first examine concretely what is meant by "existing stocks" and "including within the scope" of the treaty. Only then will it be possible to find common ground on the issue (paragraphs 20-23).

Libya

[Original: Arabic]
[9 May 2013]

The States members of the League of Arab States reaffirm that the Conference on Disarmament is the sole multilateral negotiating body for disarmament operating under the auspices of the United Nations, in accordance with the mandate established by the first special session of the General Assembly devoted to disarmament, held in 1978. That session also affirmed that nuclear disarmament was an absolute priority.

The Group of Arab States emphasizes that the deadlock in the Conference on Disarmament is in no way due to any shortcoming in the Conference itself but can rather be attributed to the lack among certain parties of the political will needed to make tangible progress towards disarmament and, consequently, the elimination of nuclear weapons.

The four items on the Conference agenda, namely, nuclear disarmament, a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices,[1] prevention of an arms race in outer space and negative security assurances, are part of the comprehensive agenda on nuclear disarmament and no single item should not be given priority over the others.

In that connection, the Group of Arab States reiterates its appeal to the Conference on Disarmament to agree on a balanced and comprehensive programme of work that also includes the commencement of negotiations on a treaty banning the production of fissile material. The Group also reiterates its appeal for flexibility with a view to facilitating agreement on such a programme.

The Group of Arab States further believes that any negotiations on a treaty banning the production of fissile material must take place on the basis of the following:

The Conference on Disarmament must be the sole negotiating forum. All efforts should be aimed at facilitating negotiations under the auspices of the Conference, not establishing parallel mechanisms;

The treaty must be comprehensive, non-discriminatory and internationally verifiable;

In order to achieve the goal of disarmament, the treaty must prohibit the future production and stockpiling of such material.

[1] Without prejudice to the position of the Group of Arab States set out in this document, the name of the treaty is given as it appears in the resolution.

Mexico

[Original: Spanish]
[17 May 2013]

Mexico, like other States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, recognizes the need to conclude a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices that includes existing fissile material, as one of the steps towards the complete elimination of nuclear weapons. The treaty negotiations should be part of a broad and comprehensive nuclear disarmament and non-proliferation process.

In that connection, the said instrument must contemplate the regulation of existing fissile material, a verification mechanism and confidence-building measures.

Mexico believes that a verification system must be defined to ensure that information is kept secure and confidential, under the IAEA verification system, without the need to create a new agency.

Bearing in mind that IAEA and several of its member States have laboratories and staff qualified to carry out the work of monitoring the source of fissile material, it would be unnecessary to create new infrastructure for that purpose.

It is critical that fissile material storage facilities be placed under an accountability and control system with the broadest possible scope, since they are a proliferation risk. Mexico therefore suggests that States should declare all fissile material in their possession, in an effort to reduce reserves gradually, and that they should place that material under the IAEA comprehensive safeguards system.

It is also essential that the treaty contemplate banning the "direct use" of fissile material for the production of nuclear weapons and the transfer for nuclear weapon-related purposes of fissile material produced for civilian use. In addition, the future treaty should class neptunium and americium as fissile material, given their fissile nature and potential for use in a nuclear weapon.

In accordance with its obligations as a non-nuclear-weapon State and State party to the Treaty on the Non-Proliferation of Nuclear Weapons, Mexico supports promoting the use of low-enriched uranium for peaceful purposes and banning States not party to the treaty from acquiring or receiving fissile material for nuclear weapons or other nuclear devices and from helping third countries in any way to produce fissile material for explosives.

Netherlands

[Original: English]
[14 May 2013]

The Netherlands aims for an ambitious treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. At the same time, we realize that reaching that aim requires mutual understanding of the political and technical challenges and a willingness to compromise, as there are many differing views on the fissile material treaty. We look forward to contributing to reaching a successful treaty in a creative, pragmatic and flexible way. We have outlined several ideas below.

Limiting the amount of weapons-grade nuclear material is consistent with our aim to enhance nuclear security and one of the priorities of the nuclear security summit which the Netherlands will host in 2014. In the absence of progress in the Conference on Disarmament and to ensure continued attention and improve the prospects for future negotiations, the Netherlands organized and funded several events and meetings on a fissile material treaty, aiming to identify possibilities and challenges for such negotiations.

In the view of the Netherlands, the basic elements of such a treaty could include a ban on producing fissile material for nuclear weapons or other nuclear explosive devices, a ban on acquiring fissile material for weapons and on transferring it to third countries, a ban on converting fissile material for civilian purposes for use in weapons and a requirement that States parties to the treaty disable, decommission and, where feasible, dismantle their fissile material production facilities for weapons, or reconfigure them.

The treaty should also contain provisions on an effective verification mechanism. It would be logical to give IAEA the task of verifying the obligations of States parties under such a treaty, as the Agency is the organization with the most capacity and international experience on nuclear safeguards. Verification should focus chiefly on existing and former military fissile material production facilities. Preferably, States possessing nuclear weapons should join the IAEA safeguards regime for their entire nuclear fuel cycle. Access to military facilities could be managed by provisions similar to the "managed access" clauses currently used to prevent sensitive commercial information from being disclosed during inspections of civilian nuclear fuel cycle processes. The Netherlands, hosting a significant peaceful nuclear industry, is happy to share its experiences with safeguarding and verifying nuclear facilities, including those relating to managed access.

With regard to the scope of the treaty — whether to include existing military stocks or not — the Netherlands would like to be ambitious. At the same time, as we are aware of the different points of view, we aim to work towards a compromise. One issue that has to be prominently addressed is transparency. Transparency should be both the result of a fissile material treaty and an important building block towards it. Further issues that need addressing are the costs of verification and the entry into force of the treaty.

We believe that the Shannon mandate is a good basis for negotiations, but flexibility from all sides is important concerning the exact wording of a negotiating mandate, on the issue of existing stocks as well as on other issues. Participation as broad as possible and in particular that of States possessing nuclear weapons is crucial for the treaty to be effective. In our view, the Group of Governmental Experts should identify all relevant issues to be addressed in the treaty, pinpoint the difficulties and focus on finding common ground. It might be worthwhile to consider establishing a committee of scientific experts to work on more technical issues and advise the negotiators before or during negotiations. We see ourselves as a potential bridge-builder and are willing to take responsibility both in the preparations and in actual negotiations.

Nigeria

[Original: English]
[14 May 2013]

During the sixty-seventh session of the General Assembly, Nigeria joined 165 countries that voted in favour of the resolution on a treaty banning the production of fissile material for nuclear weapons or other nuclear devices.

Nigeria wishes to reiterate that while such a treaty could be an important qualitative disarmament measure, it should also be stressed that the potential of this resolution might not be fully realized if the measures being considered are limited only to the future production of fissile materials while neglecting the challenges of existing stocks.

Nigeria believes that the question and challenges of existing stocks of fissile materials should be included in the task assigned to the proposed Group of Governmental Experts with a membership of twenty-five States chosen on the basis of equitable geographical representation, as recommended in the resolution. In addition, we wish to underscore that the Group's mandate could also include but not be limited to the following: all fusion and fission devices, nuclear testing, enrichment, reprocessing, separation, purification and other related issues. We are of the strong view that a holistic approach to the consideration of the preceding issues will further enrich the proposals and recommendations to be submitted to the Secretary-General, for onward transmission to the Conference on Disarmament.

Norway

[Original: English]
[14 May 2013]

Norway welcomes the decision by the First Committee to establish a working group on a treaty banning the production of fissile materials for nuclear weapons or other nuclear devices. Such a treaty could be an important contribution to promoting disarmament and preventing proliferation. It is the view of Norway that the full potential of such a treaty would be reached only if it were also to include measures regarding existing stocks of fissile materials. They would further the value of the treaty as a measure to support the goal of eliminating nuclear weapons. We are looking forward to studying the report of the working group and its recommendations to the General Assembly at its sixty-eighth session.

Pakistan

[Original: English]
[1 May 2013]

While global disarmament and arms control efforts are supposed to promote collective security, States join such processes only if the instrument or treaty under negotiation does not imperil their fundamental security interests. This has been recognized in paragraph 29 of the Final Document of the Tenth Special Session of the General Assembly.

Pakistan did not introduce nuclear weapons in South Asia. It was compelled to respond to the development of nuclear weapons by our neighbour, leading to its nuclear tests in 1974 and subsequently in 1998.

Since the idea of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices was introduced at the Conference on Disarmament in 1995, Pakistan has insisted that such a treaty should not only ban future production of fissile material but also address the serious asymmetry in fissile material stockpiles, especially in South Asia.

Pakistan's concerns regarding asymmetry in stocks have been further accentuated as a result of the discriminatory policies relating to selective "civilian nuclear cooperation", guided by strategic and commercial interests of some States, which has enhanced the production of fissile material for military purposes by our neighbour. In such circumstances, Pakistan has been compelled to oppose negotiations for a treaty on fissile material that would halt only future production, as that would permanently freeze its disadvantage and undermine its deterrent capability. In such a situation the so-called "constructive ambiguity" of the Shannon mandate is not sufficient to address our security concerns.

Moreover, we need to recognize that a fissile material treaty was conceived as a step towards nuclear disarmament and not merely non-proliferation. The treaty, as currently conceived for negotiations in the Conference, would have no impact on States that now have superfluous fissile material for weapons purposes. Unless such a treaty unambiguously covers the question of reducing existing stockpiles of fissile material, it would make no contribution to nuclear disarmament.

The deadlock in the Conference is not a recent development. No negotiations have taken place in the Conference since 1996 owing to differences over varying priorities. Indeed, it is due to considerations of national security of some States that no progress has been made in the Conference in over three decades to even begin negotiations on issues such as nuclear disarmament, negative security assurances and the prevention of an arms race in outer space. Pakistan's opposition to the commencement of negotiations on a fissile material treaty in the Conference on grounds of national security is, therefore, neither exceptional nor unprecedented.

Unless a level playing field is provided in South Asia, Pakistan would not be able to join negotiations on the treaty. Pakistan believes the establishment of the Group of Government Experts under the mandate of the General Assembly undermines the role of the Conference. The mandate of the proposed Group of Governmental Experts, to discuss substantive aspects of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, could easily be fulfilled in the Conference. A balanced consideration of all issues on the Conference's agenda, under the well-established principle of equal and undiminished security of all States, can break the deadlock.

Peru

[Original: Spanish]
[29 April 2013]

Resolution 67/53 has revitalized the question of banning the production of fissile material to further nuclear disarmament and non-proliferation, which are laudable

aims that should be supported. It is therefore crucial to discuss and clearly define the provisions of the treaty and to analyse the role of the international safeguards system, whose purpose appears to encompass implicitly the treaty's objectives.

In that connection, it is important to discuss the issues below, which should be considered in the proposal.

Nuclear material used in nuclear weapons must have basic characteristics that allow it to be used, such as the type of material, its enrichment grade and the quantity. In that connection, it is essential to define the fissile material that the treaty will cover, bearing in mind that plutonium-239 and uranium-233 are produced in a reactor and, in order to be useful, require chemical separation from fission products, while uranium-235 originating from natural uranium must be highly enriched, possibly higher than 90 per cent. Significant quantities specified by IAEA for controls are 8 kg of plutonium-239 and 25 kg of highly enriched uranium-235. These factors will therefore need to be considered.

In using nuclear material to generate electricity, plutonium-239 is created by irradiating uranium-238, which absorbs a neutron and decays to plutonium-239, and uranium-233 is formed when thorium-232 is irradiated in a reactor. Uranium-235 occurs naturally but requires enrichment. In order for them to be used, chemical separation, enrichment and reprocessing processes must be carried out, as appropriate. Merely creating this fissile material will not mean that it has been "produced", since special technological processes are required to achieve weapons-grade nuclear material. It will therefore be necessary to clearly define the scope of the word "production", as too strict a definition could unduly affect the peaceful use of nuclear material or even its use in naval reactors that require highly enriched uranium.

There are currently reserves of fissile material that could be used in various ways, including in nuclear weapons. These stocks, with a few exceptions, are not covered by safeguards. In that connection, it should be determined whether this fissile material, already produced in the past, should be covered by the treaty.

Compliance with the treaty would be subject to an additional international verification regime that would possibly be in addition to the safeguards regime. How this regime will be applied must be discussed, taking into consideration that obligations exist under the IAEA safeguards agreements, which seek, in every sense, to restrict the production of fissile material for non-peaceful purposes.

To achieve a treaty banning the production of fissile material for nuclear weapons that will contribute to nuclear disarmament and non-proliferation, it will be necessary to discuss and analyse issues related to the definition of fissile material and the word "production", whether fissile material stocks should be included and the relationship with the international IAEA safeguards regime.

Poland

[Original: English]
[10 May 2013]

Poland attaches priority to the immediate commencement of the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of

document CD/1299 of 24 March 1995, which has been subsequently referred to in decision CD/1864.

We are convinced that the treaty, by banning the production of fissile material for nuclear weapons or other nuclear explosive devices, would contribute significantly to nuclear disarmament efforts under article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices constitutes the next multilateral instrument to be negotiated in the nuclear disarmament field as a complement to the Non-Proliferation Treaty and the Comprehensive Nuclear-Test-Ban Treaty. The international community's support for the immediate commencement in the Conference of negotiations on a fissile material treaty in the Conference on Disarmament has been expressed on many occasions.

Poland has always actively supported the immediate commencement of treaty negotiations within the framework of the Conference, on the basis of decision CD/1864. Moreover we have also supported other solutions leading to the start of talks. Poland also took an active part in the consultations on the practical and technical aspects of the feasibility of fissile material treaty verification, which were carried out within the framework of the Non-proliferation and Disarmament Initiative under the German leadership in Vienna.

Qatar

[Original: Arabic, English]
[11 March 2013]

The State of Qatar supports the signing of a convention on the banning of the production of fissile material for nuclear weapons and other nuclear explosive devices, provided that the convention is multilateral, is not discriminatory, includes the current inventory and can be effectively verifiable at the international level. The State of Qatar believes that this convention will contribute to a large extent to the prevention of nuclear proliferation and the promotion of nuclear disarmament.

Republic of Korea

[Original: English]
[28 June 2013]

The international community should commence negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices at the earliest possible date, with a view to adopting a multilateral, non-discriminatory and internationally and effectively verifiable treaty.

The Republic of Korea supports the establishment of the Group of Governmental Experts in accordance with resolution 67/53, and hopes that the Group will play a valuable role in facilitating discussions and negotiations.

The Republic of Korea supports a ban on the production of fissile material for nuclear weapons or other nuclear explosive devices. Regarding the definition of fissile material that is to be banned, it would be a good approach to include therein

unirradiated direct use material and other special fissionable material to be specified by the international community at a future stage.

The treaty should not hinder the production, use and development of fissile material for peaceful uses, since States have the right to produce, use, store and process fissile material for peaceful uses under the international verification system.

With regard to existing stockpiles, the Republic of Korea believes that it would be best to first commence the negotiations on a treaty, and discuss the issue of existing stockpiles at a later stage during the negotiations.

The treaty should include appropriate verification mechanisms, and the Republic of Korea supports the approach of utilizing IAEA as an inspector. In discussing concrete methodology for inspections, such factors as effectiveness and cost should be taken into account.

With regard to ratification requirements, taking into account the lessons learned from the Comprehensive Nuclear-Test-Ban Treaty, the Republic of Korea suggests that the treaty require ratification by a certain number of countries, including the five nuclear-weapon States, based on a practical approach.

Pending the adoption and implementation of a fissile material treaty, all States with nuclear weapon capabilities should voluntarily declare moratoriums on the production of fissile material for weapons purposes without further delay as an interim measure, if they have not yet done so.

Serbia

[Original: English]
[24 May 2013]

In accordance with the Treaty on the Non-Proliferation of Nuclear Weapons and its status as a non-nuclear-weapon State, Serbia does not possess nuclear weapons or equipment for the production of nuclear fission materials or nuclear explosive devices and does not plan to develop or procure equipment or materials for their production.

Serbia considers that the treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices will complement and reinforce the existing legal framework established for the purpose of disarmament and prevention of nuclear weapons proliferation. The treaty should cover both the production and the existing stockpiles of fissile material, in view of the fact that the present stocks of uranium and plutonium intended for military use are very important. The essential elements of the treaty are as follows:

- Moratorium on the production of fissile material for nuclear weapons and other nuclear explosive devices
- Establishment of a verification system, including monitoring fissile material production facilities and keeping records of those materials
- The verification system must be in place in both the nuclear-weapon States and the non-nuclear-weapon States. The latter States are already implementing this verification procedure through the Non-Proliferation Treaty by way of monitoring and control activities carried out by IAEA

– Closing as well as decommissioning military fissile material production facilities or their conversion into facilities for the production of fissile material for peaceful applications

– Providing guarantees that the fissile material produced for peaceful uses will not be used for military purposes, that is, for the production of nuclear weapons or other nuclear explosives

Particular emphasis should be placed on openness and transparency in the implementation of such a treaty to build global confidence among the States parties regarding the fissile material production issue.

South Africa

[Original: English]
[16 May 2013]

South Africa has long promoted a world without nuclear weapons. As part of the systematic and progressive approach towards achieving nuclear disarmament, South Africa is fully supportive of negotiations on a treaty that would ban the production of fissile material for nuclear weapons and other nuclear explosive devices that fulfils both nuclear non-proliferation and nuclear disarmament objectives.

While a fissile material treaty would reinforce the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons and complement the Comprehensive Nuclear-Test-Ban Treaty, it would also constitute an essential element of a comprehensive framework of mutually reinforcing instruments aimed at achieving and maintaining a world without nuclear weapons.

Over the years many issues have complicated agreement on the commencement of negotiations on a fissile material treaty. Those issues have included the mandates of subsidiary bodies in the Conference on Disarmament, the vexed "linkage" question, the scope of the treaty and especially whether it should include past production and fissile material stocks, questions about its verification, as well as concerns regarding the utility of a cut-off treaty as a genuine nuclear disarmament step that will not merely freeze the status quo.

As the first country to have developed and then completely eliminated its nuclear weapons, South Africa is fully aware of the complexities associated with a future treaty. Contrary to arguments about the limitations of such a future, the experience of South Africa has shown that despite significant technical complexities that will need to be acknowledged and addressed, all of them can be overcome with the necessary political will. While acknowledging the difficulties associated with the past production of fissile material, South Africa strongly believes that the question of stocks needs to be addressed in a future treaty for it to be a credible disarmament instrument. A fissile material treaty that fulfils disarmament objectives will necessarily also have to give effect to the principles of transparency, irreversibility and verification agreed to during the review conferences of the parties to the Treaty on the Non-Proliferation of Nuclear Weapons in 2000 and 2010.

For such a treaty to be fully effective, we believe that it should be the product of multilateral disarmament negotiations. The non-nuclear-weapon States under the Non-Proliferation Treaty already have a verifiable obligation not to produce fissile

material for nuclear weapons purposes. The conclusion of an agreement without the participation of those States that do not have existing obligations would therefore not be meaningful. Although South Africa remains ready to commence negotiations immediately on such a treaty, it does not subscribe to the view that this is the only issue "ripe" for negotiation, or that the commencement of such negotiations should become a prerequisite for further progress on nuclear disarmament. As a meaningful disarmament step, a fissile material treaty cannot be separated from the overall objective, which is and should remain a comprehensive framework of mutually reinforcing instruments aimed at the establishment and maintenance of a world without nuclear weapons.

In 2002, South Africa submitted a working paper to the Conference on a fissile material treaty (CD/1671). Building upon that paper, South Africa's reflections on the possible scope and requirements of a fissile material treaty have been submitted as a contribution to the work of the Group of Governmental Experts that will be convened in 2014 (full text available from the website of the Conference; see para. 4).

Sweden

[Original: English]
[16 May 2013]

Sweden regards a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices as a key disarmament and non-proliferation element, integral to any framework of mutually reinforcing legal instruments for achieving and maintaining a world without nuclear weapons. Looking forward to the establishment of the Group of Governmental Experts, Sweden would be ready to take an active part in the deliberations of the Group. With significant competence and experience relating to, inter alia, technical verification work, Sweden considers itself well equipped to contribute to efforts towards preparing the ground for the treaty, both technologically and otherwise. Sweden has continuously addressed issues related to the treaty and would like to provide preliminary and non-exhaustive comments on some central treaty-related issues as "food for thought" for future discussions. It will be important to define and agree on how its expected utility can best be maximized by a future treaty. While discussions in the Group are likely to be broad, it is possible to identify several important technical and organizational issues that the Group could address, and in so doing create a more solid basis for future substantive work. This would include a careful assessment of the feasibility of necessary verification measures. The work of the Group could make an important contribution to further clarification of technical and other implications of a variety of scopes and definitions of fissile materials in a treaty, including the issue of addressing existing stocks of fissile material and how such stocks could be defined and classified.

Relevant technical issues of this type include, for example:

- Discussion of possible definitions of military and civilian stocks. The choice of definitions will impact the effectiveness and/or intrusiveness of the treaty verification regime. The verification of fissile material flows between facilities using different stock definitions could also be investigated.

- The term "fissile material" is not formally defined or used in any verification regime. Possible definitions of fissile material and their implications for treaty verification and scope are among crucial issues that the Group could explore.
- What is meant by "production" of fissile material?
- The verification regime would most likely include many of the verification techniques already part of the IAEA nuclear safeguards toolbox, tailored to fit a fissile material treaty. There are also, however, verification techniques used in other applications or under development that could be further investigated with respect to future treaty verification. This is particularly true for verification of clandestine production of fissile material. Ideally, the outcome of the work of the Group should result in a set of recommendations for the scope, definitions and verification of a future treaty.

Switzerland

[Original: English]
[6 June 2013]

A treaty on fissile material for nuclear weapons is long overdue and represents a priority for Switzerland. Reaching an understanding on modalities should not be made a precondition for beginning negotiations. A treaty should strengthen and complement the existing nuclear non-proliferation and disarmament regime. It should halt both vertical and horizontal proliferation and contribute to nuclear disarmament. Consequently, a treaty should, on the one hand, prohibit the future production of fissile material for nuclear weapons or other nuclear explosive devices, including providing for the decommissioning and dismantlement of production facilities or for their reconfiguration for peaceful purposes only.

A treaty should, on the other hand, address past production of fissile material. If only future production is covered (in a mere "cut-off treaty"), the disarmament effects will be limited. Such an approach could generate incentives for a State to produce as much material as possible before ratifying the treaty or, worse, even create incentives to delay the commencement of negotiations or the entry into force of such a treaty. By including coverage of existing stock in the treaty, nuclear disarmament will be advanced significantly, not the least by ensuring that existing fissile material excess to military requirements will never return to nuclear weapons stocks. A treaty should also ensure that stocks of highly enriched uranium for naval propulsion will not and cannot be used in nuclear weapons and other explosive devices.

Syrian Arab Republic

[Original: Arabic]
[14 May 2013]

With regard to a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, the Syrian Arab Republic wishes to affirm the following:

1. The Conference on Disarmament is the single multilateral disarmament negotiating forum of the international community.

2. The treaty must be non-discriminatory, international and multilateral, and must apply on an equal basis to all States that produce, store, possess or transfer such material. In other words, the treaty must be a non-discriminatory, international instrument.

3. A non-discriminatory and transparent international mechanism must be established to monitor the production and storage of such material.

4. The treaty must contain explicit provisions concerning a mechanism for eliminating the fissile material stockpiles of nuclear-weapon States or those of other States, regardless of how they obtained such material.

Ukraine

[Original: English]
[3 June 2013]

Ukraine strongly supports full and effective implementation of legal and institutional multilateral mechanisms to prevent the proliferation of nuclear weapons and related materials, equipment and technologies.

Ukraine continues to support the early commencement of international negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in the Conference on Disarmament. Until then, we call upon all States concerned to declare and uphold a moratorium on the production of such material.

Ukraine considers that a fissile material treaty should reflect a balance between nuclear disarmament and non-proliferation dimensions and that the issue of existing stocks of fissile materials should be addressed during the negotiation process, and should not be used to block any disarmament negotiating forum.

A draft treaty should include the following principal provisions:

- Prohibition of the production of highly enriched uranium (contains not less than 20 per cent of the uranium 235 isotope) and plutonium (the plutonium 238 isotope content is less than 80 per cent)
- An effective regime to verify compliance with the treaty, including submission of initial declarations, regular inspections of declared facilities, as well as inspections on demand to detect possible prohibited activities at undeclared objects
- Initial declaration of all objects of enrichment and reprocessing of uranium and plutonium, regardless of their current status (active, closed, dismantled or converted facilities)
- Ensure cost-effectiveness through the exclusion of all completely dismantled objects from the inspection regime
- Inspections on demand for detection of possible prohibited activities at undeclared objects should be carried out in accordance with the controlled

access procedure to prevent leakage of sensitive information relating to nuclear non-proliferation or national security interests

– A future inspection regime should not create any additional obligations in this field for non-nuclear States that are parties to the IAEA comprehensive safeguards agreements.

United Kingdom of Great Britain and Northern Ireland

[Original: English]
[16 May 2013]

The United Kingdom of Great Britain and Northern Ireland supported the resolution to create the fissile material cut-off treaty Group of Government Experts at a meeting of the First Committee of the General Assembly in 2012. We look forward to a constructive Group that will help to set some of the parameters for a treaty, including the development of a solid technical framework to support key elements of the future treaty.

We believe that the Group will complement existing efforts to find a positive way forward in the Conference on Disarmament. The United Kingdom looks forward to participating in the Group and believes that it should consider the following:

The precise scope of the treaty, including:

- The definition of "fissile material" to be used by the treaty
- How "production" of fissile materials could best be defined
- Whether or not existing stocks of fissile material should be covered in some way

The most appropriate verification arrangements, including:

- The general approach for verification of the treaty
- Which body or bodies would carry out the verification
- How verification arrangements are treated in the treaty itself

The provisions governing the operation of the treaty itself:

- The treaty will need to outline its entry-into-force requirements, its duration, and any arrangements for review, amendment and withdrawal.

Our note to the United Nations sets out the views of the United Kingdom on each of the above-mentioned issues in fuller detail (available from the website of the Conference; see para. 4).

United States of America

[Original: English]
[10 May 2013]

The United States of America believes that achieving a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices would be an important milestone for nuclear non-proliferation as well as the next logical step in multilateral nuclear disarmament. The fundamental obligation of the

treaty would be to ban the production of fissile material for use in nuclear weapons or other nuclear explosive devices. "Fissile material" should be defined to correspond to what IAEA calls "direct-use material". "Production" of fissile material should be defined as occurring through isotopic separation — enrichment — or through chemical separation of irradiated nuclear material — reprocessing. Therefore "production facilities" would correspond to enrichment and reprocessing facilities.

A treaty verification regime would need to be negotiated as part of the treaty. All production facilities would need to be declared under the treaty, and all newly produced fissile material declared, accounted for and monitored to verify that the materials are not being diverted for use in weapons. Verification would also need to include detection of undeclared production facilities. For that purpose, measures beyond routine monitoring would be needed. A "managed access" protocol that protects sensitive information would need to be developed for that purpose.

The United States believes that IAEA is best suited and should be responsible for carrying out treaty monitoring and inspections. However, there would remain a need for higher-level decision-making on important treaty issues, such as compliance questions and the reviewing of treaty implementation. The Agency may or may not be the appropriate organization for those functions, and an organization consisting of parties to the treaty could be established.

Legitimate points for negotiation include the scope of the treaty, explicitly recognized in the Shannon mandate. The United States believes that the treaty should not place legal obligations on existing fissile material. Inclusion of existing stocks would make the treaty much more difficult to negotiate successfully. In addition, separate from a fissile material treaty, much progress has already been made, and still is being made on measures to eliminate existing stocks. Further progress could be hampered by linkage to such a treaty.

Uruguay

[Original: Spanish]
[1 May 2013]

In response to the Secretary-General's request, made in accordance with General Assembly resolution 67/53, entitled "Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices", it should be recalled that Uruguay supported that resolution, as it is a step, however small, towards initiating negotiations to agree on that instrument, which would undoubtedly be a key contribution to the cause of nuclear disarmament and non-proliferation. The instrument could also strengthen the Treaty on the Non-Proliferation of Nuclear Weapons.

Generally speaking, a treaty of this nature would make it possible to coordinate or integrate on a technical foundation various viable, or at least feasible, political initiatives to secure, consolidate and reduce reserves of highly enriched uranium and plutonium. It is well known that the control of fissile material is crucial, not only for nuclear disarmament, but also to stop the proliferation of nuclear weapons and ensure that terrorists cannot acquire them. Therefore, the fact that some States not party to the Treaty on the Non-Proliferation of Nuclear

Weapons have continued to produce plutonium and highly enriched uranium has been and continues to be a cause for concern.

It is clear that the ban on the production of fissile material should apply only to material used directly in weapons or other nuclear explosive devices. It could thus be recognized that some States may separate plutonium for recycling in civilian nuclear power reactors. The IAEA safeguards would have to be applicable to all fissile material. As is known, material such as neptunium-237 and americium-241 and -243 are not included in the "special fissionable material" category of the IAEA Statute, nor are they the subject of its safeguards regime. For that reason, the definition of fissile materials must be expanded to include the aforementioned material, and any other that can sustain a fission chain reaction.

While States parties might be required to accept the necessary safeguards to ensure that they comply with the main obligations under the treaty, it should be noted that compliance with some of the obligations laid down in the treaty cannot be easily verified using the safeguards.

Another matter that should be highlighted and retained in the proposed treaty is the possible adoption of protocols, which could facilitate contemplation of new details concerning the implementation of the proposed treaty or allow subgroups of countries to undertake additional commitments without having to amend the text itself. Consequently, depending on the circumstances, protocols could be applicable to all States parties or to a particular group.

Negotiating the treaty has not been and will not be easy. Its achievement would not only limit the materials available for the manufacture of nuclear weapons, but would also significantly strengthen measures governing disarmament, non-proliferation and arms control. Moreover, it would be a decisive step towards improving the climate of trust in a field of international security fraught with rising tensions.

III. Reply received from the European Union

[Original: English]
[31 May 2013]

For the European Union, the immediate commencement and early conclusion of the negotiation in the Conference on Disarmament of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, on the basis of document CD/1299 and the mandate contained therein, remains a clear priority. Such a treaty constitutes an urgent necessity in the nuclear disarmament field as a complement to the Treaty on the Non-Proliferation of Nuclear Weapons and the Comprehensive Nuclear-Test-Ban Treaty.

National security concerns, while legitimate, can and should be addressed as part of the negotiation process rather than as a prerequisite. Confidence-building measures can be taken immediately, without the need to wait for the commencement of formal negotiations. In that regard, pending negotiations and the entry into force of the treaty, the European Union calls on all States concerned to declare and uphold an immediate moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices.

All European Union member States supported General Assembly resolution 67/53. The mechanism established by the resolution represents a useful contribution to helping the Conference without undermining its authority and primary role in multilateral disarmament negotiations.

The technical expert meetings on the treaty organized by two European Union member States, Germany and the Netherlands, in May and August 2012, respectively, in support of the early commencement of negotiations within the Conference were useful; they enhanced our knowledge and understanding of technical issues.

The European Union reaffirms its strong commitment to the Conference as the single multilateral disarmament negotiating forum of the international community. The Conference, in accordance with its mandate, has the crucial role of negotiating multilateral treaties. Its ongoing stalemate remains deeply troubling. Adopting and implementing a programme of work will, inter alia, enable negotiations on a treaty.